

**City of Fayetteville**  
**Regular Mayor and City Council Meeting**  
**Minutes**  
**July 7, 2016**

**Call to Order**

The Mayor and City Council of Fayetteville met in regular session on July 7, 2016 at 6:00 p.m. in the Council Chambers at City Hall. Mayor Edward Johnson called the meeting to order, followed by Opening Prayer and led those attending in the Pledge of Allegiance to the Flag. Council members present were: Harlan Shirley, Kathaleen Brewer, Paul Oddo, Scott Stacy, and James Williams. Staff members present were City Manager Ray Gibson and City Clerk Anne Barksdale.

City Manager Ray Gibson said we need to add to the agenda "Item A" - #0-8-16 – REA Ventures Rezoning 4.92 Acres – North Glynn Street and Lafayette Avenue Intersection from C-1 to PCD in order to have it tabled.

Oddo moved to add Item A" - #0-8-16 – REA Ventures Rezoning 4.92 Acres – North Glynn Street and Lafayette Avenue Intersection from C-1 to PCD to the agenda. Shirley seconded the motion. Motion carried unanimously.

Oddo moved to approve the agenda as presented. Brewer seconded the motion. Motion carried unanimously.

Oddo then moved to table Item A - #0-8-16 – REA Ventures Rezoning 4.92 Acres – North Glynn Street and Lafayette Avenue Intersection from C-1 to PCD until the December 1, 2016 City Council meeting. Shirley seconded the motion. Motion carried unanimously.

Stacy moved to approve the minutes of the Regular City Council Meeting of June 16, 2016. Shirley seconded the motion. Motion carried unanimously.

Shirley moved to approve the minutes of the Called City Council Meeting of June 30, 2016. Brewer seconded the motion. Stacy abstained. Motion carried 4-0.

**Recognitions and Presentations:**

Mayor Johnson recognized and congratulated Miss Lexi Brake, who is representing "Little Miss GA Princess". She was in the July 4<sup>th</sup> parade in PTC and is a Fayetteville resident.

### **Public Hearings:**

Mayor Johnson called Consider #0-11-16 – Water & Sewer Rate Increase – 2<sup>nd</sup> Reading.

Assistant Finance Director Carleetha Talmadge stated, the Water and Sewer budget includes a 2.4 % increase. This increase insures the City's ability to meet and maintain the required debt service obligations as outlined in the 2010 and 2013 Series Water and Sewer Revenue Bonds.

Staff is recommending an amendment to the City of Fayetteville Water and Sewer Ordinance Section 86-62 Basic Rates, Charges, and Billing. This ordinance has been amended to increase the water and sewer fees for residential, senior, and commercial customers. The table below shows a comparison of the current rates to the proposed amended rates:

| Type         | Current Minimum | Proposed Minimum | Current per 1,000 gallon rate | Proposed per 1,000 gallon rate |
|--------------|-----------------|------------------|-------------------------------|--------------------------------|
| Res Sewer    | 17.46           | 17.88            | 3.12                          | 3.19                           |
| Senior Sewer | 14.83           | 15.19            | 3.12                          | 3.19                           |
| Com Sewer    | 30.62           | 31.35            | 3.12                          | 3.19                           |
| Res Water    | 15.55           | 15.92            | 3.11                          | 3.18                           |
| Senior Water | 13.23           | 13.55            | 3.11                          | 3.18                           |
| Com Water    | 28.53           | 29.21            | 3.11                          | 3.18                           |

She added, the minimum residential water and sewer bill will increase by .79 cents.

There were no public comments.

Stacy moved to approve #0-11-16 – Water & Sewer Rate Increase. Brewer seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider #0-13-16 – Update the City's Official Zoning Map – 2<sup>nd</sup> Reading.

Director of Community Development Brian Wismer stated the updated City Zoning Map includes zoning changes to several parcels approved by Mayor and Council since the last update.

He explained, in March of 2015, property at Hwy 54 East and Cobblestone Blvd. was rezoned from C-3/Highway Commercial to RMF-15/Multi-Family Residential (future Cobblestone Townhouses). In May 2015, property at 140 Walker Parkway was annexed into the City of Fayetteville and rezoned from CH/Highway Commercial to C-3/Highway Commercial (Starbucks/Mattress Firm).

Also in May 2015, two properties at Veterans Parkway and Hood Road (Pinewood Forrest) were annexed into the city and rezoned from R-70/Single Family Residential to PCD /Planned Community Development. In July 2015, property at 467 Veterans Parkway was annexed into the city and rezoned from R-70/Single Family Residential to PCD/Planned Community Development (Thomas Lamb Property- zoning was reverted back to R-70 on June 2, 2016 for lack of development).

In August 2015, properties at 200 Hunters Glen and 100 Morning Dove Drive (Quail Hollow) were annexed into the city and rezoned from R-40/Single Family Residential (county) to R-40/Single Family Residential (city). In November 2015, property at 1231 Hwy 54 West was rezoned from MO/Medical Office to C-3/Highway Commercial (future Holiday Inn Express).

In December 2015, property at 936 West Lanier Avenue was rezoned from C-3/Highway Commercial to MO/Medical Office (future Heartis Senior Living). Also in December 2015, property at Hwy 85 North and Promenade Parkway was rezoned from C-3/Highway Commercial to M-1/Light Manufacturing (future Industrial Park).

He said Staff recommends approval of the updated City Zoning Map as presented.

There were no public comments.

Shirley moved to approve #0-13-16 – Update the City’s Official Zoning Map. Williams seconded the motion. Motion carried unanimously.

### **New Business:**

Mayor Johnson called Consider R-20-16 – Future Land Use Map Update.

Director of Community Development Brian Wismer stated, in continuance of the recommendations by the City Attorney, Mayor and Council shall adopt the City’s Future Land Use (FLU) Map on at or near an annual basis to record any changes to the document. All changes are recorded and maintained in the City’s GIS (Geographic Information System) files.

The FLU Map is not adopted as a zoning document, but as a planning document. As such, it is used to help guide future development projects to certain areas, and reflect the general land use goals of the City. Amendments to the map can and should occur when the City’s land use goals are updated, and when rezonings occur that may conflict with the map.

He said the 2016 Future Land Use Map has been amended to include any properties that were annexed into the City of Fayetteville in 2015, and offers proposed amendments to the West Fayetteville Area properties annexed into the City in 2013 which had no imminent development plans.

At the time of the 2013 annexation of the West Fayetteville Area, all such properties without imminent development plans were assigned “Low Density Single Family” designations on the FLU Map as a placeholder. The City initially planned to adopt a zoning overlay for the West Fayetteville Area that would help determine the future land use assignments for these properties. The proposed overlay project was placed on an indefinite hold status, because the City’s existing zoning and development regulations were found sufficient to address development of these properties.

Mr. Wismer added, it was never the City’s (or the property owners’) intention to annex property into the City for the future purposes of low density residential development, which can easily occur without an annexation. Because of the impact of Piedmont Fayette Hospital and Pinewood Atlanta Studios on the surrounding area, the annexations were done to help facilitate growth in the medical services and film technology sectors, and other related growth opportunities for the City.

Staff recommends the following updates to the FLU map to reflect the original intent and purpose of the West Fayetteville Area annexations.

Adjacent properties to the hospital should be designated as Medical Mixed Use to complement the surrounding area designations and encourage growth in the medical services industry. The City’s Comprehensive Plan describes “Medical Mixed Use” as follows:

*This category refers to a campus-like setting that allows for the establishment of local and regional medical centers, allied health services and necessary support businesses. Uses deemed appropriate in this area include: offices, planned residential developments, service related commercial establishments.*

Further questions have been raised about the above land use narrative regarding the meaning and intent of the phrase “planned residential developments;” specifically if apartment housing would be construed to qualify as a use under this somewhat ambiguous description. Within the comp plan, further explanation is given regarding the overall intent of how residential uses should be encouraged in this land use category.

*Housing Choices: A goal for this area is to provide a healthy mix of housing options (mixed use developments, assisted living, and conservation [of existing] neighborhoods).*

*Provide various housing types such as assisted living, elderly, and special needs.*

*Varied residential uses to create a live/work environment.*

*Medical park design should be very pedestrian-oriented, with strong, walkable connections between different uses within the development.*

He said from these findings, the intent of the phrase “planned residential developments” is not meant to encourage apartment developments, but rather traditional neighborhood preservation and

institutional housing that would include a medical care component. The references to “live/work and mixed-use” could support individual residential units over medical office/commercial space, but that would be impractical to implement beyond a very small scale.

Adjacent properties to Pinewood Atlanta Studios should be designated Business Park to complement the existing studio development and encourage further growth in that industry. The comp plan describes Business Park as follows:

*Business parks are planned, mixed-use development generally along a major thoroughfare or expressway. This category is intended to provide employment opportunities that focus on knowledge-based industries, research and development, office space and limited light industrial uses. An appropriate level of commercial development is permitted if it serves the park and is consistent with the surrounding uses.*

Property adjacent to Crystal Lake should be designated as Neighborhood Mixed Use to encourage largely residential growth with limited commercial opportunities. The comp plan describes Neighborhood Mixed Use as follows:

*Mixed land use appropriate for a more residential, less densely populated area...This area allows for an appropriate level of commercial and office activities that have a minimal impact on the surrounding residential uses. A balance of residential uses appropriate for this area can include single-family detached, townhouses, and condominiums. Appropriate non-residential uses include neighborhood scale retail and service businesses and public institutional and professional uses.*

These updated designations will serve as a guide to planning staff, the P&Z Commission, and City Council to help guide future development in the City. Staff recommends adoption of the updated Future Land Use Map.

There were public comments by realtor Bill Buckner who asked about refining the land use plan, Emory Springs resident Kathy Bohannon who said she agreed with Mr. Wismer and thanked the City for not following through with plans for apartments adjacent to their neighborhood, and resident Al Hovey-King who asked to postpone this item so that more community input could be heard.

Shirley moved to approve R-20-16 – 2016 Future Land Use Map as presented. Oddo seconded the motion. Motion carried unanimously.

Mayor Johnson called Discussion of Highland Park Phase 3 Detention Ponds.

Public Service Director Chris Hindman stated, Staff has discovered that Highland Park Phase 3 has two detention ponds within the subdivision which was Quit Claim deeded over to the City in 2005. The first pond labeled Pond A which consists of approximately 3.336 acres and the second pond labeled Pond B which consists of approximately .873 of an acre. Through investigating the development of the property through the files located at City Hall staff could find no evidence that

the City accepted responsibility of the two ponds. Per the Final Plat dated 10-16-03 the detention ponds should have been the responsibility of the Home Owners Association. Further investigation discovered that the ponds were Quit Claim deeded over to the City on August 16<sup>th</sup>, 2005 as filed through the Superior Court of Fayette County Courts. Neither the deed nor any documentation could be found within the City's files that the City accepted the deed.

Mr. Hindman added, after discussions with the City Attorney the City has two options available to us. The first is to accept the Quit Claim Deed and accept the responsibility of cleaning the ponds. The second is to not accept the deed and work to try and have the developer clean and maintain the ponds.

Williams moved to deny Quit Claim Deed for Highland Park Phase 3 Detention Ponds. Shirley seconded the motion. Councilmember Stacy recused himself due to personal interest in Highland Park. Motion carried 4-0.

Mayor Johnson called Consider R-25-16 – Bid Award – Bill Printing and Mailing Services.

Purchasing Agent Danielle Ballard stated in the past our current software provider, Harris Computers System, printed and mailed our utility bills for us and since we will be moving away from Harris Computers Systems in September, 2016 and going live on Tyler New World we had to do a search for such vendors. On April 20, 2016 we sent out RFP #BP211-02 for Bill Printing and Mailing Services and received 3 responses from the following:

- Info Send with a rate of 0.102 per piece
- Southwest Direct with a rate of 0.123 per piece
- Municode with a rate of 0.140 or 0.115 per piece based of color

After reviewing each vendor thoroughly, Municode seems to be the better option especially with the working relationship they already have with the new software system, Tyler New World. Staff recommends that bid #BP211-02 for Bill Printing and Mailing Services be awarded to Municode.

Stacy moved to approve R-25-16 – Bid Award – Bill Printing and Mailing Services. Shirley seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider R-22-16 – Professional Services Agreement with The Collaborative Firm for Planning & Zoning Services.

City Manager Ray Gibson stated, with the uptick in development requests within the City of Fayetteville over the last year the demands placed upon the Planning & Zoning Department have increased considerably. The department went through transition during the recession when development/rezoning applications and site plan submittals were rare. Now that things have picked up considerably, management feels the need to bring in a consulting firm to assist with the overall

Planning & Zoning operations and to help establish an organizational structure that best suits the City.

As a result, the City is recommending a professional services agreement with The Collaborative Firm out of East Point, Georgia. The agreement is a one-year agreement with The Collaborative Firm providing the following services:

#### **A. Current Planning Activities**

Full time professional planners provided by The Collaborative Firm will augment existing staff on site in the Fayetteville Community Development Office and will provide remote assistance as needed from our offices. Additionally, the City of Fayetteville will have access to The Collaborative Firm's entire staff offering specialized expertise in land use and transportation planning, urban design, economic development, and zoning. Our staff will be available to provide the following Current Planning services:

- Answer zoning inquiries and provide appropriate information on planning and zoning items with citizens, property owners, and other interested parties in person, via email, and/ or via phone.
- Review and evaluate zoning requests, draft staff reports and make recommendations to the Planning and Zoning Commission and/or City Council.
- Review and evaluate site plans, subdivisions, zoning compliance for building permits, business licenses, and any other administrative permit or approval.
- Assist with the drafting of text and map amendments to the zoning ordinance.
- Attend and participate in meetings and public hearings of the Planning and Zoning Commission and/or City Council relating to zoning and land use

#### **B. Comprehensive Planning**

The City of Fayetteville is required to update of the City's Comprehensive Plan by June 30, 2017. Per the Georgia Department of Community Affairs rules, Chapter 110-12-1-02 (7) and O.C.G.A. 50-8-71(b), the City of Fayetteville will request technical assistance from the Atlanta Regional Commission in preparing the Comprehensive Plan update. With sufficient notice, ARC staff is available to prepare the basic required comprehensive plan elements and provide data assistance. In our experience, utilizing ARC staff assistance, available at no cost to the city, allows a full comprehensive plan update while keeping costs low.

Mr. Gibson added, the Collaborative Firm will be responsible for managing the City of Fayetteville's Comprehensive Plan Update process which includes the seven required elements of the Comprehensive Plan that include Community Goals, Needs and Opportunities, Land Use, Transportation, Economic Development, Housing, and the Community Work Program as required by The Georgia Department of Community Affairs.

The Collaborative Firm will prepare the Land Use, Transportation, Economic Development and Housing elements of the Comprehensive Plan update. The Atlanta Regional Commission's staff will prepare the three core elements of the five-year plan update which include the Community Goals, Needs and Opportunities, and Community Work Program per the Georgia Department of Community Affairs Rules Chapter 110-12-1-.02 (7) and O.C.G.A. 50-8-7.1(b)

The Collaborative Firm will oversee the Atlanta Regional Commission's staff to coordinate the planning process, prepare data and analysis, provide community outreach services and write the final plan document.

For the Current Planning Activities services listed above, to be performed by the Consultant, the City agrees to pay the Consultant fees as noted, with a total annual contract amount not to exceed **\$148,800** unless mutually agreed upon in writing. This will provide the City with a Planning Director level staff member for a minimum of 20 hours per week and a Senior Planner for a minimum of 20 hours per week.

For the Comprehensive Planning update, the following fees apply:

- With ARC assistance on the basic elements, including provision of data, The Collaborative Firm fee will be a flat fee of **\$38,000**, billed monthly as work is completed.
- Without ARC assistance The Collaborative Firm fee will be flat fee of **\$49,000**, billed monthly as work is completed.

Staff recommends approval of Resolution R-22-16 to enter into a Professional Services Agreement with The Collaborative Firm.

Oddo moved to approve R-22-16 – Professional Services Agreement with The Collaborative Firm for Planning & Zoning Services. Brewer seconded the motion. Motion carried unanimously.

Mayor Johnson called R-23-16 – SCT Funding.

City Manager Ray Gibson stated, Staff met with Southern Conservation Trust and were presented with a punch list that needs to be completed prior to the Grand Opening of the Ridge.

He said Ms. Pam Young provided a list of eight items that need to be completed prior to opening the Ridge to the public. There is a need for electrical work including a power pole to operate the gate and the future bathrooms at the facility with an estimated cost of \$3,200. We also have a trail system that needs safety signs and directional trail maps with an estimated cost of \$200. Under the category of general cleanup; there are weeds to be pulled, curbing in the parking lots, and picnic tables to be built and installed at an estimated cost of \$1,600. There is an old house that for safety reasons needs to be removed from the site. Removal of the house is estimated at \$3,500. In preparation for the future bathroom site, SCT is working on engineered electrical, plumbing, and mechanical plans to



meet all guidelines set by the building department at a cost estimate of \$1,500. The next category is signs. This will be used to designate the future site of the bathrooms and mark the picnic areas at a cost of \$200. For the Grand Opening there will be a need for port-a-potties, food, beverages, and tents with an estimated cost of \$1,500.

He added, the largest project yet to be completed is the Whitewater Creek Project. They are working on clearing the creek with volunteers as much as possible for the Kayak walk-in launch and the Sherwood take-out. The drive rehab and gravel parking lots are the single largest ticket item in this punch list at \$26,190. The total estimated cost of this Whitewater Creek project is \$38,300.

This makes the grand total for the punch list is \$50,000. If approved, we will again be using the money generated by the Hotel/Motel tax for tourism. We have the money in this account to finish the project and open it to the public.

Shirley moved to approve R-23-16 – SCT Funding. Stacy seconded the motion. Motion carried unanimously.

Mayor Johnson called Consider R-24-16 - Amend Job Descriptions and Salary Pay Scale.

Assistant Finance Director Carleetha Talmadge stated the attached salary pay scale has one revision which is to add one new position to the list of approved positions within their respective grades. We will add a Deputy City Clerk at a pay grade 23.

She explained, in preparing the job description for the Deputy City Clerk, we used surrounding cities and counties to determine what salary range the position should be given. About 18 months ago we interviewed for someone within our current staff to act as an assistant to the City Clerk. We added these duties as “other duties assigned” to an existing job description. With the increased work load on the clerk’s position and other duties that need to be taken over by the Clerk’s office, it has become inefficient to have someone act as the Deputy City Clerk while performing other duties.

Therefore, we would like to add this position to allow the City to have someone be in the Clerk’s office five days a week. As you are aware, our current clerk has retired and come back as a part time employee working only four days a week. We will also be adding the duties of taking the minutes for the Planning and Zoning Board’s monthly meetings. This is currently being done in house by the senior planner. Since the senior planner has started presenting items at these meetings and at the City Council meetings, taking the minutes has become a burden and a time sensitive matter. This will also allow the Deputy City Clerk to spend more time training under the Clerk, which should make for a smooth transition when the City Clerk retires in the future.

Stacy moved to approve R-24-16 - Amend Job Descriptions and Salary Pay Scale. Brewer seconded the motion. Motion carried unanimously.

**City Manager and Staff Reports:**

Ray Gibson, City Manager stated the Town of Tyrone would like to tie in to the City of Peachtree City's sewer system. They will soon be meeting with PTC to discuss feasibility study.

**City Council and Committee Reports:**

Councilmember Stacy said SCT and the City still need volunteers to help clear the area for the water trail at the Ridge. July 16<sup>th</sup> will be another work day.

**Mayor's Comments:**

Mayor Johnson said it was a great honor to participate in the PTC 4<sup>th</sup> of July Parade.

**Public Comments:**

Resident Al Hovey-King asked if REA Ventures was officially tabled or was it just taken off the agenda.

Mayor Johnson stated it was actually added to the agenda as an agenda item, then tabled until December 1<sup>st</sup>.

Shirley moved to adjourn the meeting. Oddo seconded the motion. The motion carried unanimously.

Respectfully submitted,

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Anne Barksdale, City Clerk